

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

17-cr-0463 (LAK)

DENVER McFADDEN,

Defendant.
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SUPPLEMENTAL ORDER

LEWIS A. KAPLAN, *District Judge*.

On July 21, 2020, this Court granted defendant's motion to "reduce sentence pursuant to 28 U.S.C. § 3582(c)(1)(A)(I) (Compassionate Release)" subject to conditions set forth in that Memorandum and Order. He still has not been released, no doubt as to regrettable failures of communication occasioned by the pandemic and an apparent desire for clarification of the order. In an effort to make the previous order as clear as possible, the Court adds the following:

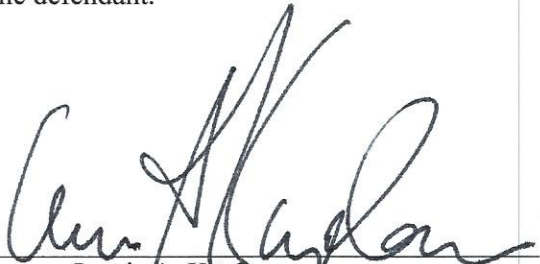
1. Defendant is to be released from prison forthwith.
2. He is to serve the balance of his sentence of incarceration on home confinement as set forth in the Memorandum and Order. Inasmuch as he appears to have served approximately 37 months of his original 90 month term of imprisonment, that means that he shall serve the balance of that 90 month term in home incarceration (also referred to as home detention).
3. Defendant was sentenced to serve the remainder of his life (after the service of the original 90 month term of imprisonment) on supervised release. By virtue of the Memorandum and Order, upon completion of his 90 month term of imprisonment (the remainder of which is to be served on home detention), he shall begin supervised release. The first 12 months of the supervised release also is to be on home detention enforced by GPS monitoring.

With the one exception noted below, this supplemental order is intended only to clarify, not to alter, the July 21 Memorandum and Order. The exception is that the last full sentence on page 5 of that Memorandum and Order is modified to read: "He must abide by all rules, requirements, and conditions of sex offender treatment program(s), excluding submission to polygraph testing."

The Clerk shall mail a copy of this order to the defendant.

SO ORDERED.

Dated: August 26, 2020



Lewis A. Kaplan
United States District Judge